THE DECLARATION OF The LORDS and COMMONS In PARLIAMENT Assembled.

Willing,

That no Messenger or Officer, by Colour of his Majesties Command or Warrant under his hand, shall arrest, take, or carry away any of his Majesties Subjects against their Wils, that it is against the Lawes of the Land, the liberty of the Subject, and tends to the disturbance of the peace of the Kingdome, and those that are imployed in the raising of Horses, Money or plate, according to the Propositions, shall not depart from that service upon any Command from his Majesty whatsoever.

Ordered by the Lords and Commons Assembled in Parliament, that this Declaration shall be forthwith Printed and Published.

John Browne Cler. Parl.

As also the Vindication of both Houses of *Parliament* of the Earle of *Stamford*, and others, from his *Maiesties* imputation of Treason.

With certain instructions from his Majesty to all the Judges of the Kingdome of England.

July 28. London Printed for John Wright. 1642.

IN MEMORY OF
LIONEL DE JERSEY HARVARD
CLASS OF 1915
Feb. 24, 1922.

Die Martis, 26. Iulii, 1642.

THe Lords and Commons in Parliament doe declare, That it is against the Laws & liberties of the Kingdom, that any of the Subjects therof should be commanded by the King to attend him at his pleasure, but such as are bound thereto by speciall service. And if any Messenger or Officer shall by colour of any command from his Majesty, or warrant under his Majesties hand Arrest, take, or carry away any of his Majesties Subjects to any place whatsoever, contrary to their wills; That it is both against the Laws of the Land, the liberty of the Subjects, and is to the disturbance of the publike peace of the Kingdome; and any of His Majesties Subjects so Arrested, may lawfully refuse to obey such Arrests and commands.

And it is further declared, that whosoever is imployed by both or either House of Parliament concerning the Ordnance for the Militia, or in advancing the Propositions for raysing of Horse, Money, or Plate, ac-

according to the Inſtructions of both Houſes, or in furthering the ſubſcriptions for Ireland, or in any other Service of both or either Houſe of Parliament, ſhall not depart that ſervice or attend his Maieſty, upon any Summons or Command, Signified by Letter, Proclamation, or otherwiſe, except ſuch perſons ſhal be compelled to ſuch departure, or attendance, by Authority of Law; And in ſo doing, both Houſes of Parliament will extend the uttermoſt of their power for their indempnity.

Martis 26. Julii 1642.

ORdered by the Lords in Parliament, that this Declaration ſhall bee forthwith Printed and Publiſhed.

Io. Browne Cleric. Parliamentorum.

TRusty and well-beloved, We greet you well. We call to mind that in former times the constant custom was, by the mouth of the Lord Keeper for the time being, at the Court of Star-chamber, in the end of Trinity Terme, to put the Judges of Assise (shortly after to undertake their severall Circuits) in mind of such things as were then thought necessary for the present, for the good government of the Kingdome. This course in Our judgement we doe well approve of, That although We want the opportunity, which We and Our Predecessors then had, of communicating Our thoughts to our Judges, for the good of our people, yet We do still retaine the same care for the safety and prosperity of Our good Subjects: And much more, by how much the distempers and distractions of the present times, unhappily fallen, have given us more occasion. Wee have therefore thought it fit, to supply the defect by these Our Letters; wherein, besides the generall care of Our justice, committed to Us by God, and by Us delegated to Our Judges by Our severall Commissions, We recommend unto you in your Circuits, as We shall do to the rest of your Brethren in their severall Circuits, these particulars following.

First, that you take care, by all the best meanes you can to suppresse Popery in all those Counties whither you are to goe, by putting the Lawes made against them in due execution: And that you take like care to give a stop to the over-hasty growth of Anabaptisme, and other Schismes, as far as by the good Lawes of the Land you may; and to punish the Delinquents with an equall hand, and those specially of either sort whom you shall discover to be seditious stirrers and movers of others to any Acts of disobedience to Us, and Our government; and that in your Charge, and otherwise, as you shall have fit opportunity, you assure our good Subjects in Our name, and in the word of a King, who cals God to witnesse, that by his gracious assistance we are constantly re-

resolved to maintaine the true Protestant Religion, established by Law in this Church of *England*, in the purity thereof, without declining either to the right hand or to the left, as we found it at Our accesse to the Crowne, and as it was maintained in the happy times of Queene *Elizabeth*, and King *James* Our deare Father, both of happy memory, and therein both to live and dye.

Secondly, you shall let Our People of those Counties know, that, according to Our Kingly duty and Oath, We are also constantly resolved to maintaine the Lawes of this Our Kingdome, and by, and according to them to governe Our Subjects, and not by any Arbitrary power, whatsoever the Malevolent Spirits of any ill affected to Our Person or Government, have suggested, or shall suggest to the contrary. And that we shall also maintain the just Priviledges of Parliament, as far as ever Our Predecessors have done, and as far as may stand with that justice which We owe to Our Crowne, and the honor thereof: but that We may not, nor will admit of any such unwarranted power, in either, or both Houses of Parliament, which in some things hath beene lately usurped, not onely without, but against Our Royall Consent and Command. And We require and command you, as there shall be just occasion offered, in a legall way, that you take care to preserve Our just right in these cases.

Thirdly, We charge you, as you tender the peace of this Kingdome, in the Government whereof, according to the Lawes, you Our Judges of the Law have a principall part under Us, that you take care for suppressing of all Insurrections, if any such should happen, and of all Riots and unlawfull Assemblies under any pretence whatsoever, not warranted by the Laws of this Land; and whosoever shall trangresse therein, that you let them know that they must expect that punishment which by the Law may be inflicted upon them, and at your hands We shall looke for such an account here-

in, within your Circuit, as becommeth the quality of the place wherein you serve Us.

Fourthly, because the distempers of the present times, unhappily stirred up and fomented by some, under specious, but unjust pretences, and probable to stir up loose and ungoverned people, under hope of impunity, as far as they dare to make a prey of Our good Subjects, Wee straitly charge and command you to take the best order you can in those Counties, that Rogues, Vagabonds, and other disorderly people may be apprehended, dealt with and punished according to the Lawes, whereby the good and quiet people of Our Kingdome may be secured, and the wicked and licentious may be suppressed: and We charge and command you to give it in charge in all the Counties whither you are sent by Our Commissions, that Watches and Wards be straitly kept in all Parishes and places convenient, whereby the Laws made against such disorders may be put in due execution.

Fifthly, and lastly, you shall let Our people of those Counties know from Us, and by Our Command, that if they shall professe unto Us, or unto you in Our stead, any thing wherein they hold themselves grieved, in an humble and fitting way, and shal desire a just Reformation or reliefe, We shall give a gracious eare unto them, and with all convenience returne them such an answer, as shall give them cause to thanke Us for Our Justice and Favour: and when you shall have published Our cleare intentions to Our people in these things, lest at the first hearing they should not so fully apprehend Our sense therein, you shall deliver a Copy of these Our Letters to the Fore-man of the Grand Jury, and to any other, if any one shall desire Copies of these Our Letters for their better information; and to the end that Our services in your Circuit may not suffer through the absence of Our learned Counsell, Our Will and Command is, that you assigne in every place of your Sessions some of the ablest Lawyers

yers who ride that Circuit to be of Counsell for Us, to assist in such Pleas of the Crowne, that may be most necessary for Our service in the execution and punishment of notorious Delinquents.

Of all these things We shall expect that good account from you, as We shall from the rest of your Brethren Our Judges, to whom We have also written to the like purpose; of whose fidelity and good affections We are confident as becommeth Us to looke for from you, and for you to render to Us, wherein you have so great a trust committed.

Given at Our Court at Yorke, 4. July, 1642.

To Our trusty and welbeloved the Judge, or Judges of Assise, for Our Counties of *Kant*, *Surrey*, *Sussex*, *Hartford*, and *Essex*.

The Declaration of the Lords and Commons in Parliament assembled, concerning the Earle of *Stamford*, and others his Assistants; whom the King Proclaimed Traytors for executing the Ordinance of the MILITIA.

WHereas *Henry* Earle of *Stamford* was by Ordinance of both Houses of Parliament, appointed Lord-Lieutenant of the County of *Leicester*, and by the Order of both the said Houses the Magazin of the said County was delivered into his hands to be removed or disposed of as he should thinke fit for the safety and defence of His Majesty and the County; in obedience whereunto, the said Earle did take the Magazine and did place a great part thereof at his house at *Bradgate* under safeguard, and the residue thereof at a place in the Newarke neer the Towne of *Leicester*, for the doing whereof the said Earle, and also *William Sherman*, *William Stanley*, *John Norris*, and *William Reywor*, upon pretence of being Assistants to the said Earle, and all other his

his Adherents, were without all colour of Law, and against the rights and liberties of the Subject proclaimed Traytors, which as concerning the said Earle being a Member of the House of Peeres, is a high breach of the priviledge of Parliament: Be it therefore declared by the said Lords and Commons, That the said Earle, *William Sherman*, *William Stanley*, *John Norris*, *William Reynor*, nor any other of the parties which were assisting of the said Earle in the Premises, have done any thing herein but according to their duties, & in obedience to the commands of both Houses of Parliament; and that therefore the said Earle and all other the said persons his assistants and every of them shal and ought to be protected by the power and Authority of both Houses of Parliament. And the said Lords and Commons do hereby forbid all Sheriffs, Majors, Bayliffes, Constables, and other His Majesties Officers and Subjects whatsoever, any way to arrest, impeach, molest, or trouble the said Earle, *William Sherman*, *William Stanley*, *John Norris*, *William Reynor*, or any other of the said persons, (so assisting to the said Earle) either in their persons, goods, or estates, for, or by reason of the premises, without the Authority or consent of both Houses of Parliament.

ORdered by the Lords in Parliament, that this Declaration be forthwith Printed and Published.

John Brown Cler. Parliamentorum.

FINIS.